

APPENDIX D. CITIZEN'S COMPLAINTS AND HUMAN RELATIONS¹

¹ adapted from the *"Florida Stormwater Erosion and Sedimentation control Inspector's Manual"*

Introduction

There are two major instances when an inspector may experience difficult people. In the first case you are reacting to a citizen's complaint. In the second case, you are on one of your routine inspections and you discover potential violations which must either be: brought to the attention of the site supervisor; corrected; or [in worse cases] written up. This appendix mostly deals with the public; dealing with the site supervisor is described in the main body of the text.

One of the most difficult parts of being an inspector may be dealing with the public, including contractors, developers, neighbors, concerned citizens and politicians. All have rights as citizens and as human beings. When they talk with you, be aware that their concern is most likely the most important thing on their mind at that time.

To deal effectively with people, you must be fair and consistent. You must follow Virginia's *Erosion and Sediment Control Law and Regulations* and treat all people with courtesy and respect. If you show respect for the other person, that person is more likely to show respect for you. It is important to be as consistent as possible. If you apply the rules consistently to every situation, those people will know what to expect from you, your authority, the agency or the company you work for.

Perhaps the most challenging part of being an inspector is carrying out your responsibilities in a professional manner. There will be times that you will have to deal with angry and difficult people. Sometimes you may feel pressured not to issue a notice to comply or a stop work order; but, it is your job to make sure all rules are followed. It is the objective of the inspector to: 1) prevent accelerated erosion; 2) prevent off-site damage from sediment; 3) protect the environment and prevent imminent danger to life and properties down-gradient from the site. To do this job well and be respected as a professional you must maintain your integrity.

You will visit many regulated land disturbance sites, offices and other agencies. For these visits, prepare a short introduction explaining who you are, what your job is, and why you are there. Give a business card to those you meet to help them remember your name and the role of your organization.

Dealing with Angry or Difficult People

Occasionally you will receive a citizen's complaint about erosion and sediment control issues. DEQ refers such complaints to our regional offices, who usually contact the person who is in charge of erosion and sediment control at VESCP. Generally, an inspector from the locality will review the complaint. DEQ frequently offers to make a joint inspection on the site, especially if State Waters are impacted.

Individuals who have made complaints will typically try to meet the inspector when he or she is visiting the site. Consequently, the inspector often has to handle heated confrontations.

When a person voices a complaint, you may not have complete information or know all of the details. Therefore, you should not try to resolve the situation spontaneously. You can be prepared; however, by

developing skills for dealing with conflict situations. The general guidelines in the following section will help in handling angry people.

Citizen's Complaint

As mentioned above, be aware that the situation for which an individual complains is one of the most important things on their mind at that time. Therefore, a situation with an angry person should be handled in a manner that is satisfactory to that person, yourself, and the organization you represent. Your organization relies on you to handle the situation effectively. Use the steps below as a guide for developing your skills in dealing with angry people. You can tailor these skills to fit your own personality and style.

1. Maintain a factual, friendly and professional demeanor.

When reacting to a citizen's complaint, they will likely try to meet you at the site and you are likely to be the first person that an angry individual confronts. Remember that you do not have the authority to invite these individuals onto private property. Be careful not to argue because it will only make the person become defensive, but usually also more difficult and confrontational. Maintain a professional distance and let the person finish his or her story. Show an interest in the person's problem and express your desire to solve it. Do not let the person's anger arouse your desire to retaliate. Handling a conflict situation diplomatically is your professional responsibility. Moreover, successfully remedying an issue can be rewarding. Do not take what the individual says personally. Though the anger may be directed at you, the person is probably angry with the situation, a person/company, your agency, another agency, the regulations, or rules. The individual probably feels that someone has treated him or her unfairly.

2. Acknowledge that a difficult situation exists.

Show that you take the complaint seriously. It is important that you help the person maintain self esteem (*"I see/understand why you are concerned"*). The complaint must not be viewed as unimportant. The person would not be complaining if he or she did not consider the problem important. Choose words and use a tone of voice that demonstrates sensitivity to the party's situation. The person wants to know that you understand the situation. While they may be wrong, an angry person does not want to hear that. Express empathy by responding to what the person says and feels. Expressing empathy does not mean you agree with the individual. It means simply that you recognize and respond to what the person is experiencing. If an apology is in order, apologize for the specific incident and no more (*"I'm so sorry this happened to you"*).

3. Calm the individual by questioning and verifying.

By asking questions, you can verify your understanding of the situation and also demonstrate that you are willing to work with the person. This also helps the person to work with you. Ask questions to get specific information about the problem. Never assume understanding; instead give the person responses to show that you understand the problem. Be sure that you and the person fully understand the problem.

4. Involve the person in solving the problem.

While the ultimate responsibility of resolving a citizen's complaint lay with the regulator and the offending party, in most cases the public will respond well when they feel that they have been listened to and are involved in fixing the problem. You can do this by showing that you are interested in solving

the problem. By discussing all alternatives and the consequences of each solution, you can keep the party focused on the problem and thereby avoid side issues. Explain the applicable laws, regulation, design standards, and the reasoning behind it. Often frustration and adversity are reduced when citizens are made aware of the intent of the rules. Continue to ask questions in order to keep the person focused on solving the problem. If the individual is still angry, continue to empathize, showing that you understand the problem.

5. Handle the problem

Having explored the possible solutions, focus on the most feasible and satisfying solution. Be positive with the person. Explain what your intentions in a way that the person understands. Define your jurisdiction and tell her/him what you can address or what other agencies may be helpful with or have jurisdiction over. Be as helpful as you can. Satisfying the person's desire for service and special attention can sometimes turn an opponent into an advocate. Decide upon a follow-up action to ensure that the problem has been resolved satisfactorily. Be sure to follow up.

Being the Bearer of Bad News

There will be times when you will have to be the bearer of bad news. You may have to tell a person that you cannot solve a complaint to his or her satisfaction, or you may have to inform a responsible party of a violation. These situations can be very stressful for both you and the other person. The following section lists tools that will help prepare you to deliver bad news, whether you are telling them that they will be getting a notice to comply or that you cannot do anything about the situation.

1. Present the Situation

Explain the situation to the person with as few words as possible. When your discussion is concise, direct, and to the point, the person is spared the anxiety of wondering. Prepare the person for the negative information. It may be necessary to provide a short background about the events leading up to the present situation. Provide reasons why the situation has occurred. You may be able to show that the person's actions were not responsible for the situation. Do not try to give the person good news first and then the bad news--this can appear patronizing. Do not make the bad news seem insignificant; it probably is not insignificant to the person involved.

2. Allow the person time to adjust

Most people need a little time to collect their thoughts and react emotionally to bad news. Allow the person some time; however, do not leave long periods of silence. Some people perceive silence as pressure to react and therefore may react inappropriately. Try discussing the positive aspects of the situation. The person may or may not hear you; but, positive comments can help keep the conversation constructive and the outlook optimistic.

3. Accept the person's reaction

Allow the person to express his or her feelings and opinions. It is normal to react emotionally to bad news. Allowing people to vent their emotions shows that you accept their feelings and it helps to reduce the negative aspects of the situation. If the person does not offer a reaction, try talking briefly about how you have felt or would feel in a similar situation. Then ask for the person's reaction. Use this technique to stress that you are empathetic to the other person's dilemma. However, do not get caught up in discussing your own troubles.

4. Demonstrate acceptance of the person's reaction

A person may react emotionally in many different ways and may not clearly express his or her feelings. By accepting their emotions you reaffirm them as valuable and important. Most of us find it hard to talk about emotions in the workplace and we have trouble accurately identifying the emotions of others. You must observe and listen carefully to determine if the person's true feelings are being expressed. When receiving bad news, the person may feel a wide range of emotions (such as anger, dissatisfaction, embarrassment, or confusion). Respond to these emotions by remaining calm, expressing empathy, offering reassurance, or providing further explanation. Try to mentally identify or name the emotion that the person is feeling. Identifying the person's reaction allows you to accept the reaction for what it is – that is, not a personal affront to you. Understanding how the other party feels also helps you anticipate upcoming statements and remain in control of your own emotions. People often react by blaming another person, a group, or the system. The person is simply reacting from his anger -- try not to take it personally. Avoid being caught in answering questions that are really meant as statements. For instance, "*Don't you think this is unfair*" really means "*I think this is unfair*". Restate the question as "*I understand that you think this is unfair.*" Sometimes you may be able to use self-disclosure to diffuse the situation. In other words, state how you have felt in similar situations. Statements such as, "*I know just how you feel,*" can be taken as patronizing. Rather say, "*I know how I've felt in situations like this.*"

5. Restate positive points

Once the initial emotional reaction has passed, help the person put the situation into perspective. You can help the person see the situation more positively by expressing confidence in his or her ability to meet the challenge and by providing genuine praise for efforts put forth. Reemphasize the basic facts about the situation and discuss any steps that can be taken to address the problem.

6. Offer assistance

If appropriate, you can offer to assist the person in future actions or planning. Do not offer to do something that you are not authorized to do. Inform the person that it may be necessary to submit revised plans and/or seek professional design help.

7. Clearly express that alleged violations must be corrected

An emotionally upset person may not be able to fully understand the situation or may intentionally misunderstand the conversation. Be sure that the person understands the information you have provided and knows what is expected to correct or address the situation. Repeat the actions that must be taken by all parties and the required time frames. Discuss the required action. If you cannot change the requirements or time frames, tell the person that you regret that you cannot change them. A good way to ensure that the person understands the information you have discussed is to ask the person to repeat the details of your discussion in his or her own words. For example, "*I want to be sure I haven't said something that might be misunderstood. Would you tell me, in your own words, your understanding of this discussion*".

8. Allow for future contact and follow-up

Give the person a chance to contact you for further discussion. You may need to schedule a future meeting. You should always give the person your business card and phone numbers where you can be reached. Confirm, in writing, the conclusions reached so that all parties have a similar basis for their understanding of the situation.

Conclusion

We hope these pointers help you during your role as inspector with public interactions.

Remember, the issue at hand is usually the most important thing on their mind.

Finally, as is the case with the entire inspection program, when you are back in the office, document what went on during the visit, what was said, and the conclusions or the remedy for the situation. Remember, if you do not document, the visit never took place and legal actions may be compromised!